

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SHING LEE, HAIMING WANG, ADAM E. NORTON, MEHRDAD NIKOONAHAD

Assignee: KLA-TENCOR CORPORATION

Title: SYSTEM FOR MEASURING POLARIMETRIC SPECTRUM AND OTHER PROPERTIES OF A SAMPLE

Serial No.: 09/778,245

Filing Date: February 6, 2001

Examiner: Hoa Q. Pham

Group Art Unit: 2877

Docket No.: M-10685-1C US

RECEIVED

COMMISSIONER FOR PATENTS

AUG 13 2002

Box Fee Amendment

Washington, D. C. 20231

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TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION OVER A PATENT

Sir:

Petitioner, KLA-TENCOR CORPORATION, a Delaware corporation having a place of business at 160 Rio Robles, San Jose, California 95134 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,184,984.

Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

LAW OFFICES OF  
SKJERNEN MORRILL LLP  
3 EMBARCADERO CENTER  
SUITE 2800  
SAN FRANCISCO, CA 94111  
(415) 217-6000  
FAX (415) 434-0646

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statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.


✓ In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$110.00 to Deposit Account No. 19-2386 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he/she is authorized to sign on behalf of Petitioner.

EXPRESS MAIL LABEL NO:

EV029355570US

Respectfully submitted,

  
James S. Hsue  
Attorney for Applicant(s)  
Reg. No. 29,545

**TERMINAL DISCLAIMER  
APPROVED**

**AUG 19 2002**

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